



10655328 - GAUW

32692

Customer Number

PATENT  
Docket No.: 58975US002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOSEF A. GRAESSLE, KEVIN R. GREEN  
and ALBERT VENTSerial No.: 10/655,328  
Filed: September 4, 2003For: BIOLOGICAL GROWTH PLATE  
SCANNER WITH AUTOMATED  
INTAKE

Group Art Unit: 2878.

Examiner:

**INFORMATION DISCLOSURE STATEMENT**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 CFR §§1.56, 1.97, and 1.98, enclosed is a completed Form PTO-1449, citing references submitted for consideration by the Examiner. Copies of any cited foreign patents, non-patent literature, and unpublished US application documents are enclosed. Pursuant to the waiver in the Pre-OG Notice, dated July 25, 2003, copies of US patents and published US patent applications are no longer required and are not enclosed. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 to indicate that each reference has been considered.

The Examiner's attention is also directed to the following co-pending, co-assigned U.S. Patent applications and the references cited therein: USSN 10/656,089, filed September 5, 2003. A copy of this application is enclosed herewith for consideration by the Examiner.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL  
IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS.  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450 ON  
September 11, 2004

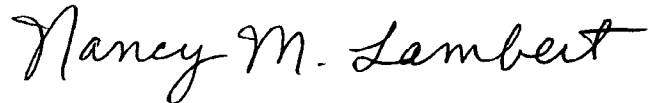
ALL REFERENCES CONSIDERED EXCEPT WHERE SHOWN OTHERWISE THROUGH. /AT/

-2-

Should a First Office Action on the merits be mailed prior to the filing of this Disclosure Statement, please charge the requisite \$180.00 fee (pursuant to 37 C.F.R. §§ 1.97(c) and 1.17(p)) to Deposit Account No. 13-3723.

Applicants submit that the above references, whether taken alone or in combination with each other neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the captioned application is respectfully requested.

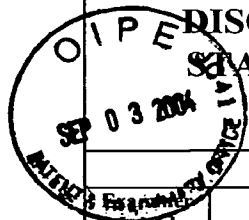
Respectfully submitted,



NANCY M. LAMBERT  
Registration No. 44,856  
Attorney for Applicants

NML:jlh/58975US002 IDS  
Office of Intellectual Property Counsel  
3M Innovative Properties Company  
P.O. Box 33427  
St. Paul, Minnesota 55133-3427  
(651) 733-2180  
Facsimile: (651) 736-3833

Dated: *September 1, 2004*



INFORMATION		Atty. Docket No.: 58975US002		Serial No.: 10/655,328			
DISCLOSURE STATEMENT		Applicant(s): Josef A. Graessle, Kevin R. Green and Albert Vent					
		Filing Date: September 4, 2003		Group: 2878			
<b>U.S. PATENT DOCUMENTS</b>							
Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate	
/AT/	3,811,036	05/14/74	Perry				
	3,962,040	06/08/76	Campbell et al.				
	4,118,280	10/03/78	Charles et al.				
	4,160,601	07/10/79	Jacobs				
	4,591,567	05/27/86	Britten et al.				
	4,720,463	01/19/88	Farber et al.				
	4,724,215	02/09/88	Farber et al.				
	4,817,785	04/04/89	Farber et al.				
	4,856,073	08/08/89	Farber et al.				
	5,329,686	07/19/94	Kildal et al.**				
	5,372,936	12/13/94	Fraatz et al.				
	5,403,722	04/04/95	Floeder et al.				
	5,428,690	06/27/95	Bacus et al.				
	5,510,246	04/23/96	Morgan				
	5,573,950	11/12/96	Graessle et al.				
	5,694,478	12/02/97	Braier et al.				
	5,721,435	02/24/98	Troll				
	5,744,322	04/28/98	Krejcarek et al.				
<b>FOREIGN PATENT DOCUMENTS</b>							
	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
/AT/	0 008 826 A2	03/19/80	EPO	G01N	15/00	X	
	0 088 601 A1	09/14/83	EPO	G01N	35/04	X	
	0 397 256 A2 & A3	11/14/90	EPO	G01N	35/00	X	
	0 429 030 A3 & A2	05/29/91	EPO	B01L	7/00		X
	0 547 709 A3 & A2	06/23/93	EPO	G01N	35/00	X	
	0 819 930 A2	01/21/98	EPO (English Equivalent provided above *)	G01N	15/14		X
	0 193 385 B1	07/22/92	EPO	G01N	35/00	X	
	60-83597	05/11/85	Japan	C12Q	1/02	X	
	5-249105	09/28/93	Japan (English Equivalent provided above**)	G01N	33/48		X
	WO 92/12233	07/23/92	PCT	C12M	1/32	X	
<b>OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)</b>							
/AT/		Product brochure entitled "Powerful data handling for GLP conformance" by ProtoCOL, Synbiosis, a division of Synoptic Ltd, Cambridge, UK (4 pgs.)					
/AT/		Product brochure entitled "Efficient Batch Handling" by ProtoZONE, Synbiosis, a division of Synoptic Ltd., Cambridge, UK (4 pgs.)					
/AT/		Product brochure entitled "Petrifilm™ Information Management System - Reduce Operational Costs and Increase Productivity"; 3M Microbiology Products; 1999; 70-2009-1996-0; (3 pgs.)					
<b>EXAMINER</b>		/Abolfazl Tabatabai/		<b>Date Considered</b>		05/15/2008	

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Based on Form PTO-FB-A820  
(Also form PTO-1449)

Patent and Trademark Office, U.S. Department of Commerce

## INFORMATION

Atty. Docket No.: 58975US002

Serial No.: 10/655,328

DISCLOSURE  
STATEMENT

Applicant(s): Josef A. Graessle, Kevin R. Green and Albert Vent

Filing Date: September 4, 2003

Group: 2878

## U.S. PATENT DOCUMENTS

Searcher Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
	5,747,333	05/05/98	Jungmann-Campello et al.			
/AT/	5,787,189	07/28/98	Lee et al.			
	6,002,789	12/14/99	Olsztyn et al.			
	6,096,272	08/01/00	Clark et al.			
	6,238,879 B1	05/29/01	Gibbs			
	6,243,486 B1	06/05/01	Weiss	382	133	
	6,381,353 B1	04/30/02	Weiss	382	133	
	6,418,180 B1	07/09/02	Weiss	377	6	
	6,485,979 B1	11/26/02	Kippenhan et al.			
	6,488,890 B1	12/03/02	Kirckof			
	6,673,315 B2	01/06/04	Sheridan et al.			
	6,690,470 B1	02/10/04	Baer et al.			
	2002/0064867 A1	05/30/02	Clark et al.			
	2002/0137091 A1	09/26/02	Luttermann et al.*	435	7.1	
	2004/0101189 A1	05/27/04	Green et al.			
	2004/0101951 A1	05/27/04	Vent et al.			
	2004/0101952 A1	05/27/04	Vent			
	2004/0101954 A1	05/27/04	Graessle et al.			
	2004/0102903 A1	05/27/04	Graessle et al.			

## FOREIGN PATENT DOCUMENTS

Searcher Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
/AT/	WO 94/01528	01/20/94	PCT	C12M	1/34	X	
	WO 94/26926	11/24/94	PCT	C12Q	1/04	X	
	WO 95/16768	06/22/95	PCT	C12M	1/34	X	
	WO 98/53301	11/26/98	PCT	G01N	21/01	X	
	WO 98/59314	12/30/98	PCT	G06K	9/00	X	
	WO 00/32807	06/08/00	PCT	C12Q	1/18		X
	WO 00/49129	08/24/00	PCT	C12M	1/34		X
	WO 00/49130	08/24/00	PCT	C12M	1/34		X
	WO 01/83673 A2	11/08/01	PCT	C12M	1/34	X	
	2 249 829 A	05/20/92	United Kingdom	G01N	15/00	X	

## OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)

EXAMINER

/Abolfazl Tabatabai/

Date Considered

05/15/2008

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Based on Form PTO-FB-A820

Patent and Trademark Office, U.S. Department of Commerce

(Also form PTO-1449)

58975US002 IDS 1449

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AT/